

Brian P. Berson, Esq.

California State Bar No. 130249

Law Offices of Brian P. Berson

235 Montgomery St., Suite 625

San Francisco, CA 94104

brian@bersonlaw.net

Telephone: (415) 788-2707

Facsimile: (415) 392-5275

Counsel for Defendant **JACQUILINE HOEGEL**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) NO. CR 12-0111-EMC-2
)
Plaintiff,) STIPULATION AND [PROPOSED]
) ORDER TO CONTINUE HEARING
vs.) AND EXCLUDE SPEEDY TRIAL
) TIME
JACQUILINE HOEGEL.)
)
Defendant.)
_____)

Counsel for the United States and counsel for Defendant Jacqueline Hoegel agree and stipulate to the following: Time up until July 11, 2012, has been excluded previously under the Speedy Trial Act. Defense counsel has been reviewing voluminous, complex discovery provided by the government, including more than 90,000 pages provided in electronic format, more than 200 boxes of seized evidence which the government has provided access to in its storage room, and more than 7 hard drives. In addition, this case involves at least 29 possible bank accounts at 14 different banks. Furthermore, the SEC conducted an investigation that led to Receivership and litigation related to these charges. That investigation and litigation generated its own voluminous

documents. Moreover, logistical and technical issues have arisen regarding the format of electronic discovery and the massive task of copying discovery singled out by defense counsel from the U.S. Attorney's storage room.

The parties stipulate that this case has been properly designated - and should continue to be designated - as complex pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(ii) & (B)(iv). For the foregoing reasons, counsel below stipulate that the status hearing should be continued to September 19, 2012 for further status conference.

SO STIPULATED:

Date: July 9, 2012

_____/s/_____
BRIAN P. BERSON
ATTORNEY FOR JACQUILINE HOEGEL

Date: July 9, 2012

_____/s/_____
TRACIE BROWN
ASSISTANT U.S. ATTORNEY

~~PROPOSED~~ ORDER

Based on the foregoing, the Court orders the July 11, 2012 status hearing date to be VACATED and continued to September 19, 2012. The Court finds that failing to exclude the time between July 11, 2012 and September 19, 2012 would unreasonably deny the defendant and government continuity of counsel and would deny both counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §

1 3161(h)(7)(B)(iv). The Court further finds that, in light of the
2 nature of the charges and the volume of discovery, the case is
3 properly designated as complex pursuant to 18 U.S.C. §
4 3161(h)(7)(B)(ii). For all of the above reasons stipulated by
5 counsel the Court finds that the ends of justice served by
6 excluding the time between July 11, 2012 and September 19, 2012
7 from computation under the Speedy Trial Act outweigh the best
8 interests of the public and Defendant Jacqueline Hoegel in a speedy
9 trial. Therefore, IT IS HEREBY ORDERED that the time between July
10 11, 2012 and September 19, 2012 shall be excluded from computation
11 under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(B)(ii) &
12 (B)(iv).
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15 SO ORDERED:

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17 Date: 7/10/12
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